



PARLIAMENTARY DEBATES

DEWAN NEGARA (SENATE)

OFFICIAL REPORT

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FEDERATION OF MALAYA
DEWAN NEGARA (SENATE)

Official Report

First Session of the First Dewan Negara

Monday, 4th April, 1960

The House met at Ten o'clock a.m.

PRESENT:

- The Honourable Mr. President (DATO' HAJI ABDUL RAHMAN BIN MOHAMED YASIN, S.P.M.J., P.I.S.).
- „ the Minister of Justice (TUN LEONG YEW KOH, S.M.N.),
(Nominated).
- „ TUAN HAJI ABBAS BIN HAJI MOHAMED (Trengganu).
- „ ENCHE' AHMAD BIN SAID, A.M.N. (Perak).
- „ ENCHE' A. M. ABU BAKAR, J.M.N. (Nominated).
- „ ENCHE' AMALUDDIN BIN DARUS (Kelantan).
- „ ENCHE' CHAN KWONG HON, A.M.N., J.P. (Selangor).
- „ ENCHE' CHEAH SENG KHEM, J.P. (Penang).
- „ DATO' DR. CHEAH TOON LOK, J.M.N., J.P., Dato' Maha
Kurnia (Nominated).
- „ ENCHE' CHOO KOK LEONG (Nominated).
- „ ENCHE' J. E. S. CRAWFORD, J.M.N., J.P. (Nominated).
- „ ENCHE' DA ABDUL JALIL (Trengganu).
- „ ENCHE' HASHIM BIN AWANG, J.P. (Penang).
- „ ENCHE' KOH KIM LENG (Malacca).
- „ DATO' LEE FOONG YEE, J.M.N., P.P.T., J.P. (Negri Sembilan).
- „ ENCHE' LIM HEE HONG, A.M.N. (Nominated).
- „ ENSKU MUHSEIN BIN ABDUL KADIR, J.M.N., P.J.K.
(Nominated).
- „ ENCHE' ATHI NAHAPPAN (Nominated).
- „ ENCHE' S. P. S. NATHAN (Nominated).
- „ TUAN HAJI NIK MOHD. ADEEB BIN HAJI NIK MOHAMED
(Kelantan).
- „ TOK PANGKU PANDAK HAMID BIN PUTEH JALI, P.J.K.
(Nominated).
- „ RAJA RASTAM SHAHROME BIN RAJA SAID TAUPHY (Selangor).
- „ DATO' G. SHELLEY, P.M.N., J.P. (Nominated).
- „ TUAN SYED AHMAD BIN SYED MAHMUD SHAHABUDIN, J.M.N.
(Kedah).
- „ TUAN SYED BAHALDIN BIN SYED NOH, J.P. (Perlis).
- „ ENCHE' T. H. TAN, J.M.N. (Nominated).

- The Honourable DATO' E. E. C. THURAISINGHAM, D.P.M.J., J.P. (Nominated).
 .. ENCHE' S. O. K. UBAIDULLA (Nominated).
 .. DATO' WAN IBRAHIM BIN WAN TANJONG, J.M.N., J.P., Orang
 Kaya Indera Maharajah Purba Jelai (Pahang).
 .. ENCHE' YAP KHEN VAN, A.M.N., J.P. (Pahang).
 .. ENCHE' YEOH KIAN TEK (Perak).

ABSENT:

- The Honourable ENCHE' ABDUL HAMID BIN MAHMUD, J.M.N. (Nominated).
 .. ENCHE' ABDUL WAHAB BIN IDUS, P.J.K. (Negri Sembilan).
 .. ENCHE' MOHAMED SALLEH BIN MOHAMED ARIFF (Malacca).
 .. ENCHE' MOHAMED ZAHIR BIN HAJI ISMAIL (Kedah).
 .. ENCHE' NIK HASSAN BIN HAJI NIK YAHAYA, J.M.N.
 (Nominated).
 .. DATO' SHEIKH ABU BAKAR BIN YAHYA, D.P.M.J., P.I.S., J.P.
 (Johore).
 .. ENCHE' WAN AHMAD BIN WAN DAUD, P.J.K., J.P. (Perlis).

IN ATTENDANCE:

- The Honourable the Prime Minister, Y.T.M. TUNKU ABDUL RAHMAN PUTRA
 AL-HAJ, K.O.M. (Kuala Kedah).
 .. the Deputy Prime Minister and Minister of Defence, TUN
 ABDUL RAZAK BIN DATO' HUSSAIN, S.M.N. (Pekan).
 .. the Minister of Finance, ENCHE' TAN SIEW SIN, J.P.
 (Malacca Tengah).
 .. the Minister of Works, Posts and Telecommunications,
 DATO' V. T. SAMBANTHAN, P.M.N. (Sungei Siput).
 .. the Minister of Health and Social Welfare, DATO' ONG
 YOKE LIN, P.M.N. (Ulu Selangor).
 .. the Minister of Commerce and Industry, ENCHE' MOHAMED
 KHIR BIN JOHARI (Kedah Tengah).
 .. ENCHE' V. MANICKAVASAGAM, J.M.N., P.J.K., Assistant
 Minister (Klang).

PRAYERS

(Mr. President *in the Chair*)

DEATH OF HIS MAJESTY THE YANG DI-PERTUAN AGONG

Mr. President: Ahli² Yang Berhormat, dengan perasaan sa-penoh² dukachita saya ma'alumkan dengan rasmi-nya kemangkatan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, yang amat di-kasehi. Baginda telah mangkat pada suboh hari Juma'at 5 Shawal, Hijrah 1379, bersamaan dengan 1 haribulan April, 1960. Bagi pihak Ahli² Yang Berhormat dan diri saya sendiri saya telah menyebarkan

satu perkalongan bunga sa-bagai menghormati roh Al-Marhum yang tersebut.

The Minister of Justice (Tun Leong Yew Koh): Mr. President, we were of course aware of this very sad event. There is little we can do at this moment but share our sorrow with the rest of the nation. I propose, with your permission, to move a resolution of condolence and affection to be presented to His late Majesty's gracious Consort. The terms of this resolution I have already conveyed to you and to all Honourable Members. Until then, Mr. President, I seek your direction as to the manner in which Honourable Members should conduct themselves.

Mr. President: Ahli² Yang Berhormat, bagi menghormati roh Al-Marhum, maka wajib-lah Majlis ini di-tanggohkan hingga pukul 2.30 petang ini. Apabila Majlis ini di-mulakan sa-mula pada petang kelak, Yang Berhormat Menteri Ke'adilan akan menyampaikan Usul Ta'ziah. Dalam perasaan sa-penoh² dukachita dan masghol, saya jemput Ahli² Yang Berhormat bersama² berdo'a kahadzrat Allah Subhanahu Wata'ala muga² di-chuchorkan rahmat ka-atas Roh Baginda dan di-himpunkan ka-dalam perhimpunan Roh Ahli'l Jannah. Dengan hormat-nya di-minta semua Ahli² Yang Berhormat di-dalam bilek Majlis ini bangun bersama² saya bertafakur sa-lama Dua Minit, tanda mengingatkan roh Al-Marhum Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong.

SEMUA AHLI² YANG BERHORMAT BANGUN BERTAFAKKUR SA-LAMA DUA MINIT

Sitting suspended at 10.07 a.m.

Sitting resumed at 2.30 o'clock p.m.

(Mr. President in the Chair)

EXEMPTED BUSINESS AND ADJOURNMENT SINE DIE

(Motion)

Tun Leong Yew Koh: Mr. President, I beg to move that, pursuant to the provisions of Standing Order 11, the proceedings on all Government business this day be exempted from the provisions of that Order, and that on completion of such business the House be adjourned *sine die*.

Enche' T. H. Tan: Sir, I beg to second the motion.

Question put, and agreed to.

Resolved,

That, pursuant to the provisions of Standing Order 11, the proceedings on all Government business this day be exempted from the provisions of that Order, and that on completion of such business the House be adjourned *sine die*.

MOTION DEATH OF HIS MAJESTY THE YANG DI-PERTUAN AGONG

Tun Leong Yew Koh: Mr. President, the nation has been shocked and grieved by the death of His Majesty which occurred last Friday. We have lost more than a truly regal King: we have lost one who we all regarded as generous and kind friend who has guided us through the first stage of our independent nationhood.

It is difficult, without appearing to be maw ishly sentimental, to describe the great qualities of His late Majesty. I can think of no field in which he was not well above the average amongst his fellow men: in some, he was outstanding; in one at least, I have always felt that he was supreme, and this I shall refer to later.

We all know his long service to Malaya as a whole, and to his own State of Negri Sembilan in particular. We remember his early career as an administrative officer in the Malayan Civil Service, of which he was an ornament; we remember how, at the age of thirty, he embarked on a legal career and was called to the English Bar at Inner Temple, that great and Honourable Society of which both the Prime Minister and I are humble members; how, on the death of his father, he succeeded to the throne of Negri Sembilan. We recall his unswerving leadership during the difficult and tragic period of the war, and his contribution to the Constitutional development of the nation thereafter. It is, I think, a matter of common knowledge that he was one of the principal architects of the Federation of Malaya Agreement, that essential arrangement which laid the first foundations of our independent nation. In this he was assisted by three of his royal brethren who, alas, are no longer with us: I refer to Their late Highnesses Sultan Abdul Aziz of Perak, Sultan Badlishah of Kedah and Sultan Ibrahim of Johore. We tend to take for granted our good fortune as a nation to have had the guidance of such outstanding and enlightened

Rulers; we should render all thanks-giving to Almighty God that he has spared to us the remaining Rulers who were associated in this constitutional development from whom our future Yang di-Pertuan Agong may be selected.

I have already mentioned a quality of His late Majesty in which I have always considered him supreme—his ability to command the affection and loyalty of all races and all creeds. I feel I am qualified to express this view: I am proud to be a Malayan notwithstanding my Chinese descent and culture, of which I am not ashamed: I am a Christian and a Roman Catholic by religion, of which I am likewise proud: I live in a State the religion of which is Islam, and am happy to do so. Why, it might be asked, should this be the case?

The answer is simple: in His late Majesty, I found a Head of State who commanded my loyalty. In his person were combined, if you will allow me to say so, Mr. President, all the greatest and most endearing qualities of the Malay race—he was gentle, kind, wise and elegant. The combination of these qualities is surely tolerance. Like many Malaysians, I am not Malay by descent: but Tuanku Abdul Rahman would never allow that to affect his personal or official relationship—I am a Malayan. My religion is not as one with Islam, but I knew always that my right to praise and serve God in my own way would be upheld by my sovereign. Why, in such circumstances, should any Malayan hesitate to render unto Caesar the things which are Caesar's, when we know that Caesar himself has rendered unto God the things which are God's? His late Majesty was the most devout of God's creatures, but his humility was such that he was always the first spontaneously to recognise and laud the good qualities of other men: he was clearly oblivious of something which we all knew—the qualities which he praised in others were qualities which he himself possessed in far greater measure. Is it surprising that such humility ensured that every step he took was taken in the shadow of his Maker?

That, I think, is the picture of the Ruler and the man. It is the pattern on which we should model ourselves.

It now only remains for me to move the resolution which stands in my name. We cannot share as much as we would wish the sorrow of that graceful lady who was His Majesty's Consort, and who in such great measure shared with him the heavy burden of his duties. We wish her to know, however, that she and the Royal Family are very much in our thoughts and hearts at this time, and it is for this reason, Mr. President, that I beg to move—

That an address be presented to the Gracious Consort of His late Majesty—

To express the deep sympathy felt by this House in the great sorrow which she has sustained by the death of His late Majesty;

To assure her of the unalterable affection and regard in which she will always be held by this House; and

To give assurance that His late Majesty's unsparing devotion to the service of the Federation and his inspiring example as the First Supreme Head of the Federation will always be held in affectionate and grateful remembrance by this House and the people of the Federation.

And that the said address be presented by—

Mr. President,

The Minister of Justice,

The Honourable Mr. S. O. K. Ubaidulla,

The Honourable Mr. J. E. S. Crawford,

The Honourable Enche' A. M. Abu Bakar.

The Honourable Dato' E. E. C. Thuraisingham, and

The Honourable Dato' G. Shelley.

Sir, I beg to move.

Dato' E. E. C. Thuraisingham: Mr. President, Sir, I beg to second the motion. This is a solemn motion, solemnly proposed by the Honourable Leader of the Senate. Words could never be adequate to express the deep and profound sorrow in our hearts.

The sudden death of His late Majesty has chilled the people of Malaya. There cannot be anyone of whatever age, race or station who did not love His Majesty for his gentleness, dignity and friendliness.

I had the great honour of knowing His late Majesty in his younger days in Perak. His high sense of rectitude, scholarship and sportsmanship distinguished His Majesty as a man and prince, who would one day shape the destiny of his people and his country. That promise of greatness was fulfilled in his regal eminence as the Supreme Ruler of Independent Malaya.

Once a while, God creates into the world men and women of His late Majesty's calibre to fulfil some divine purpose. I believe that His late Majesty was ordained to lead the people of the Federation of Malaya, this new nation, on the path of righteousness, prosperity and peace. How well and truly the task has been done! His late Majesty has now departed to a new world of peace and calm.

On behalf of myself and on behalf of my countrymen everywhere I bring to the feet of Her Majesty and of her family our humble affection and condolences and pray that her heart-rending grief may be soothed by the memory of a great and good man. May the soul of His late Majesty rest in peace!

Dato' Dr. Cheah Toon Lok: Mr. President, Sir, may I, with your kind permission, add a little of my humble tribute on behalf of the Malayan Chinese Association and do homage to one of the most illustrious sons of Malaya—a king of kings.

He was so loved by the people that his death came as a shock to all. In our heart of hearts there is a feeling of deep sorrow and a sense of great loss—great because he loved the people and the country so much and because of his dedication to the ideals of democracy, justice, peace and brotherhood. His remarkable devotion to duty even unto death will be to us who are living a means of inspiration to do selfless service for the good of our country.

May I be permitted to extend to His late Majesty's Gracious Consort, Her Majesty the Raja Permaisuri Agong, my deep sympathy and most sincere condolences on her bereavement and also, may I add, the great bereavement of her family. Thank you, Sir.

Enche' S. O. K. Ubaidulla: Mr. President, Sir, this young nation of ours

has never before had the misfortune of plunging itself into such deep sorrow as on the passing away of His Majesty the Yang di-Pertuan Agong. Sir, it is true that His Majesty's mortal remain has passed away, but His Majesty's immortal glory will live in the hearts of everyone through the ages. It is such great men who live after having passed away.

His Majesty was one of the illustrious of our kings, ablest of our men and kindest of the time.

May His Majesty rest in peace and inspire us by his spiritual presence amongst us!

Now, Sir, the depth of our grief is greater than the height of our joy that was felt on receiving Merdeka.

On behalf of the Indian community may I convey my deep, heart-felt condolences to His late Majesty's Gracious Consort.

Dato' G. Sholley: Mr. President, Sir, there is very little that I can add to the expressions of sentiment that have been so eloquently said in this House on the motion. We, the Eurasian community would like to be associated and I would like to associate myself as a member of the Eurasian community with the expressions of sentiment and feeling of the nation over this sad loss that has stricken the country.

Engku Mahsein: Tuan Yang di-Pertua, pepatah Melayu ada berkata: "Harimau mati meninggalkan belang, gajah mati meninggalkan tulang, manusia mati meninggalkan nama dan jasa." Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, telah kembali kerahmatullah. Tetapi, "jasa-nya, nama-nya", akan kekal terchatit dengan tinta emas di-dalam sejarah Persekutuan Tanah Melayu. Sa-bagai Yang di-Pertuan Agong, yang pertama bagi Persekutuan Tanah Melayu yang merdeka ini, almarhum telah, dalam tempoh dua sa-tengah tahun lebeh menjadi Yang di-Pertuan Agong, meninggalkan dan memberi negeri dan kita sakalian chontoh² yang akan kekal menjadi tauladan dari satu masa ka-satu masa. Almarhum menjadi Yang di-Pertuan Agong dengan suatu chara yang ganjil di-dalam dunia, ia-itu dengan pilihan antara Raja² dan

dengan chara pemerentahan-nya mengikut Perlembagaan yang teristimewakan telah-lah memimpin dan mengemudikan negara kita yang di-kasehi ini, ka-jalan yang aman, ka-jalan yang ma'amor dan kapada suatu arahan yang di-kagumkan, yang di-taajubkan oleh bangsa² yang ada di-dunia ini. Kedudukan kita di-Tanah Melayu yang terdiri daripada berbagai² bangsa adalah sangat menghendaki kapada suatu simbol tempat tumpah ta'at setia, tempat perchantuman dan persatuan antara kaum dan bangsa. Maka Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, telah dapat menarek kita sakalian daripa a berbagai² bangsa tadi bersatu-padu, ta'at setia pada-nya. Dan dengan itu memberi kita sakalian ra'ayat Malaya satu Kerajaan yang aman, bersatu-padu dan ma'amor.

Mudah²an berkat jasa-nya yang ta' dapat di-nilaikan kapada negara kita ini akan di-kurniakan oleh Allah Subhanahu wata'ala hendak-nya rahmat dan bahagia kapada roh almarhum di-'alam yang baka. Tuanku Seri Paduka Baginda Yang di-Pertuan Agong telah mangkat. "Hidup Duli Yang Maha Mulia Baginda Yang di-Pertuan Agong".

Tok Pangku Pandak Hamid: Tuan Yang di-Pertua, saya sedar² pada malam 1 haribulan, saya bangun pagi, aleh² saya mendengar warta berita di-sa-buah peti Radio di-rumah saya, saya terkejut besar dan dukachita alam hati saya, pepatah orang Melayu berkata: "Angin tidak, ribut tidak" aleh² ter-dengar pada telinga saya kemunchak Istana Negara sudah patah. Dengan sebab itu saya menguchapkan tahziah kapada kerabat Seri Paduka Baginda Yang di-Pertuan Agong, kawan² saya juga beserta mendo'akan kapada Seri Paduka Baginda Yang di-Pertuan Agong pulang ka-negeri yang kekal dengan selamat, sa-kian.

Enche' J. E. S. Crawford: Mr. President, Sir, I rise to endorse all that has been said in this House about the great loss the Federation of Malaya has suffered by the sudden death of her first Monarch and I, on behalf of my community, would like to join all the other communities in paying respect and tribute to His late Majesty.

Enche' T. H. Tan: Mr. President, Sir, I rise to associate myself with the sentiments expressed by Honourable Members who preceded me. Sir, our young nation has suffered a grievous loss through the death of His late Majesty the Yang di-Pertuan Agong. Those of us who had the privilege and the honour of knowing him personally knew the late Yang di-Pertuan Agong as an illustrious and a most fitting symbol of our young and independent nation. Be it in the Conference Room, or Banqueting Hall, or on the sports ground, his graciousness was always felt; and on everyone with whom His late Majesty came into contact he left an august impression of statesmanship, gentleness and sportsmanship. His death, Sir, has only accentuated those sterling qualities. It is almost redundant for me to say that long after the official period of mourning, sorrow and his memory will fill our hearts. His late Majesty's passing has inflicted in our hearts a wound that will not easily heal.

In expressing our condolence to-day, we want the Raja Permaisuri Agong to know that we, the common people of Malaya, share her bereavement. We hope, Sir, that the Raja Permaisuri Agong will find some comfort in the knowledge that we will always hold her in the highest esteem and love. I have particular cause to be most grateful to Her Majesty, for in her term of office as the Raja Permaisuri Agong, she graciously consented to be the Patron of the Malayan Leprosy Relief Association of which I have the privilege to be the President. The inmates of the leper settlements in Malaya will always be ever grateful for her solicitude.

Sir, we must be mindful of the fact that the Raja Permaisuri Agong has bravely stood at the side of His late Majesty in the anxious days that followed His Majesty's admission to the hospital with an ailment of the heart at the end of last year. To her we are very grateful for the care and comfort she has brought to His late Majesty during his declining days.

In conclusion, Sir, I cannot help borrowing the words of our Prime Minister that the greatest tribute to our

late Majesty was Allah's command that he died a King.

Enche' Amaluddin bin Darus: Tuan Yang di-Pertua, Dewan kita pada hari ini dan Kerajaan kita serta sekalian ra'ayat Persekutuan Tanah Melayu ada-lah berdukachita oleh kerana kemangkatan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong yang mana telah kita bersama² ketahui pada masa ini. Saya bagi pehak diri saya tak dapat hendak berchakap panjang untuk menyatakan berapa besar rasa dukachita oleh kerana mendengar berita yang mengejut sekali. Saya yakin dan perchaya berdasarkan kapada kesanggupan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong melawat ka-Stadium Merdeka dan membuka perlawanan football Pemuda² Asia dengan rasmi-nya itu. Seri Paduka Baginda yang kita kasehi telah sehat benar, tetapi dengan berita yang mengejut menyebabkan rasa berat benar untuk menyatakan perasaan dukachita kita bila mendengar sa-orang raja yang kita kasehi itu telah kembali ka-rahmatul-lahi-ta'ala.

Tuan Yang di-Pertua, Al-Marhum Seri Paduka Baginda Yang di-Pertuan Agong ini boleh di-katakan sama dengan di-abadikan sejarah Persekutuan Tanah Melayu yang merdeka ia-itu apabila ra'ayat negeri ini yang memulakan sejarah kemerdekaan-nya mulai pada 31 haribulan August, 1957, maka ra'ayat tidak dapat melupakan pertalian antara 31 haribulan August dengan pertabalan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong yang pertama bagi Persekutuan Tanah Melayu yang merdeka dan berdaulat. Sabagai ra'ayat yang chintakan kemerdekaan sekali pun datang dari party lain, tetapi kemerdekaan ada-lah satu benda yang kita chintai-nya yang sama² kita perjuangkan. Maka dengan ada-nya kemerdekaan dan di-lantek-nya satu simbol perpaduan bangsa yang sejarah tak dapat melupakan ia-itu pertabalan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong, yang pada ketika ini telah pun meninggalkan kita yang mana tak sempat untuk menengok sa-jauh mana kelayakkan

dan kesanggupan kita untuk membetulkan diri kita dan untuk menunjukkan bukti kesungguhan dan kemahuan kita untuk kepentingan sa-buah negara kita yang sa-baik²-nya pada ketika ini.

Sa-bagaimana yang semua orang ketahui perasaan dukachita ra'ayat itu memang benar²-nya ternyata, oleh kerana kehilangan sa-orang raja yang di-pilih, layak dan kena pada tempat-nya untuk mentadbirkan sa-buah Persekutuan Tanah Melayu, maka kita berharap sa-bagaimana kata pepatah Melayu: "Patah tumbuh hilang berganti." Mudah²an akan kita dapati pula pengganti-nya yang tidak kurang daripada yang hilang.

Sa-bagai penutup perchakapan saya sambil kita mendo'akan kapada keluarga Al-Marhum supaya bersabar di-samping itu agar roh Baginda dichuchori rahmat Ya Allah subhanu wata'ala, saya sa-bagai sa-orang Muslim hanya dapat mengatakan Inna lillahi wa inna ilaihi ra ji'un. Dan sa-bagai sa-orang Melayu, putera negeri Kedah dan sa-bagai ra'ayat Sultan Negeri Kedah, tentu-lah lebeh² lagi, oleh kerana pertalian negeri Kedah dengan Negeri Sembilan sangat rapat oleh hubungan antara Sultanah dengan Sultan Kedah sebagai anak menantu kapada Al-Marhum Seri Paduka Baginda Yang di-Pertuan Agong. Maka dengan ini-lah menambahkan tebal-nya perasaan terharu bagi diri saya yang sedang berdiri ini.

Enche' A. M. Abu Bakar: Mr. President, Sir, I beg to associate myself with the sentiments expressed by various Honourable Members of this House. Further I wish to say that His late Majesty has ruled this country with justice and in accordance with the law of Islam and I hope that the good example His late Majesty set will be followed by his successor.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya juga menyertai Ahli² Yang Berhormat yang berchakap bersama² di-Dewan ini, kerana dukukaan di-atas kehilangan sa-orang raja yang pengaseh lagi penyayang. Al-marhum Seri Paduka Baginda Yang di-Pertuan Agong telah di-lantek untuk memimpin kita dalam satu keadaan peralehan,

maka dengan kecekapan-nya Baginda telah dapat memimpin kita ke arah keselamatan, keamanan dan perpaduan. Kehilangan-nya itu ada-lah satu kehilangan yang amat besar bagi kita ra'ayat jelata negeri ini. Kemangkatan Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong sunggo-lah mengejutkan kita, kerana beberapa hari sa-belum itu Baginda telah pun dapat bersama² menghadiri beberapa upacara bagi menyampaikan hadiah² dalam pertandingan Al-Kor'anul karim di-Merdeka Stadium yang mana menyebabkan kita menyangka bahawa Baginda itu ada-lah di-dalam keadaan yang sehat dan baik, tetapi tidak berapa hari kemudian daripada itu terdengar-lah berita yang sangat² menyedehkan bagi seluruh ra'ayat negeri ini bahawa Baginda Al-marhum telah meninggal dunia. Ini ada-lah satu paluan yang paling hebat, sedangkan kita sangat² memerlukan pimpinan Baginda itu dalam menjalankan tugas pemerintahan negeri ini. Dan saya menyertai di-atas apa yang telah di-katakan oleh Ahli² Yang Berhormat yang berchakap dahulu daripada saya, dan saya hanya berdo'a muga² Allah Subhanu Wata'alah men-chuchori rahmat-nya ka-atas roh Baginda semoga di-masokkan Baginda itu ka-dalam shorga di-atas jasa² yang telah di-laksanankan-nya, terutama sekali berhubung dengan ugama, bangsa, dan tanah ayer, dan juga kapada Duli Yang Maha Mulia Seri Paduka Baginda Raja Permaisuri Agong, saya menyampaikan ucapan ta'ziah saya dan pohon bersabar. Disamping itu saya juga memohonkan muga² Baginda itu dapat bertenang serta mengatasi akan mala-petaka yang maha besar yang telah menimpa ka-atas diri Baginda itu.

Mr. President: Jika tidak ada lagi Ahli² Yang Berhormat yang hendak memberi ucapan ta'ziah, saya akan kemukakan usul Yang Berhormat Menteri Keadilan pada Majlis ini. Adalah usul-nya itu—

Bahawa satu perutusan hendak-lah di-persembahkan kapada ka-bawah

Duli Yang Maha Mulia Seri Paduka Baginda Raja Permaisuri Agong, demikian bunyi-nya :

"Majlis ini menguchapkan sa-penoh² dukachita dan atas kedukaan-nya di-sebabkan oleh kemangkatan Al-Marhum Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong.

Majlis ini berikrar dengan tulus ikhlas serta sentiasa menyimpan perasaan kaseh sayang yang berkekalan yang tidak berbelah bagi kapada Baginda.

Majlis ini memberi ikrar, ia-itu perkhidmatan Al-Marhum yang telah di-tumpukan-nya kerana fa'edah² dan kepentingan Persekutuan Tanah Melayu, sa-bagai Yang di-Pertuan Agong yang pertama, tiada shak lagi akan menjadi satu tauladan yang istimewa."

Dan ada-lah persembahan ta'ziah itu akan di-persembahkan oleh Yang di-Pertua, Dewan Negara, Yang Berhormat Menteri Keadilan, Yang Berhormat Mr. T. H. Tan, Yang Berhormat Mr. S. O. K. Ubaidulla, Yang Berhormat Mr. J. E. S. Crawford, Yang Berhormat Enche' A. M. Abu Bakar, Yang Berhormat Dato' E. E. C. Thuraisingham, dan akhir sekali Yang Berhormat Dato' G. Shelley.

Resolved,

That an address be presented to the Gracious Consort of His late Majesty—

To express the deep sympathy felt by this House in the great sorrow which she has sustained by the death of His late Majesty;

To assure her of the unalterable affection and regard in which she will always be held by this House; and

To give assurance that His late Majesty's unsparing devotion to the service of the Federation and his inspiring example as the First Supreme Head of the Federation will always be held in affectionate and grateful remembrance by this House and the people of the Federation.

And that the said Address be presented by—

Mr. President,

The Minister of Justice,

The Honourable Mr. S. O. K. Ubaidulla,

The Honourable Mr. J. E. S. Crawford,

The Honourable Enche' A. M. Abu Bakar,

The Honourable Dato' E. E. C. Thuraisingham, and

The Honourable Dato' G. Shelley.

BILLS

THE PRESIDENT OF THE SENATE (REMUNERATION) BILL

Second Reading

Mr. President: Terlebeh dahulu sebelum persidangan ini mula menimbangkan Rang Undang² yang ada dalam agenda ini, maka yang pertama sekali undang² itu ada-lah Rang Undang² berkenaan dengan bayaran kepada President, Dewan Negara, dengan ini saya sa-bagai President meminta kepada Ahli² Yang Berhormat semua agar memberi fikiran ada-kah patut saya dudok menjadi Ketua dalam Majlis ini apabila undang² ini di-bahathkan atau sama ada patut di-gantikan kepada sa-orang yang lain menjadi Yang di-Pertua.

Enche' J. E. S. Crawford: Mr. President, Sir, I propose that you remain in the Chair.

Enche' T. H. Tan: Mr. President, Sir, I beg to second the motion,

Question put and agreed to.

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to provide for the remuneration of the Yang di-Pertua Dewan Negara (President of the Senate)" be read a second time.

Enche' T. H. Tan: Mr. President, Sir, I beg to second the motion.

Tun Abdul Razak: Mr. President, Sir, I beg leave to explain this Bill very briefly to this House.

Sir, Article 58 of the Constitution states that Parliament shall by law provide for the remuneration of the President of the Senate and that the remuneration so provided shall be charged on the Consolidated Fund. Now, remuneration, as defined in Clause (2) of Article 160 of the Constitution, includes salary or wages, allowances, pension rights, free or subsidised housing, free or subsidised transport and other privileges capable of being valued in money.

Since the remuneration of the President is to be charged on the Consolidated Fund and is not intended to be debated annually, the Bill has been

drafted in a form similar to that of the Civil List Ordinance, 1957, that is to say, with a schedule providing for maximum total sums for various classes of expenditure, details of which have to be approved annually by the Minister of Finance. I would emphasise, Sir, that the sums provided are the maxima and that if it proves possible to effect savings this will certainly be done.

Sir, the President has been remunerated since his appointment by administrative arrangements on broadly similar terms to those enjoyed by the Speaker of the former Legislative Council, and provision has already been voted accordingly in the estimates for 1960. His terms of remuneration include a salary of \$2,000 a month and entertainment allowance of \$350 a month, an official motor-car and driver, a furnished house with head-boy, cook, pantry boy and gardener and the other privileges accorded to members of the House.

The only other point to which I consider it necessary to draw attention is that the President does not receive the member's allowance of \$500 a month in addition to his other remuneration.

Sir, I am sure Honourable Members of this House will agree with me that it is desirable to ensure that the holder of this high office is adequately remunerated. And therefore this is the object of the Bill now before the House, which the Government hopes will pass through the Committee stage and third reading at this meeting of this House.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President in the Chair)

Clauses 1 to 7 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE PARLIAMENT (MEMBERS' REMUNERATION) BILL

Second Reading

Tun Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "An Act to provide for the remuneration of members of each House of Parliament" be read a second time.

Engku Muhsein: Mr. President, Sir, I beg to second the motion.

Tun Abdul Razak: Mr. President, Sir, I also ask leave to explain very briefly the purpose of this Bill. As Honourable Members of this House are aware, Article 64 of the Constitution requires that Parliament shall by law provide for the remuneration of members of each House of Parliament. And Honourable Members are aware too that hitherto members of both Houses have been remunerated by administrative arrangements on the same terms as the members of the former Legislative Council. The remuneration for which this Bill makes provision is on very similar lines, but the Government proposes a few variations to which I should like to draw the attention of the House:

firstly, the privilege of free correspondence on Government and Parliamentary business, which used to extend to Singapore, has been restricted to the Federation. The reason for this is obvious;

second, it is proposed that the supply of free publications to members should be confined to Federal Government *gazettes*, on the ground that most documents of importance are tabled in Parliament and that the needs of members for other publications will be adequately met if sufficient copies are made available for reference in the library;

third, new provision has been included for members to claim the cost of journeys by sea as well as journeys by air for the purpose of attending meetings;

fourth, the Government proposes to abandon the former rather complicated rules for the supply of

telephones whereby a member who claimed only half rental could retain his telephone after ceasing to be a member and one who claimed full rental had to surrender it. It is proposed that in future all members should be able to claim full rental and retain their telephones as private subscribers, if they wish, when they cease to be Members of Parliament.

Now, there are two other aspects of the Bill to which I should like to draw attention of the House. The first is the subject of free railway passes: one for the use by the member and the other for the use by his wife or her husband or another person travelling on Parliamentary business on the authority of the member. No change is proposed in the previous arrangements but, since the independent use of the second pass has in the past cost the Government a good deal of money and has given rise to some criticism from time to time, it is the intention that members should be asked to render a monthly return of the occasions and purposes for which the independent use of the second railway pass is authorised.

The other point to which I would draw attention is that in order to obviate the need for fresh legislation whenever some change is agreed to be necessary in the remuneration and privileges set out in the Schedule, provision has been made in Clause 4 of the Bill for the Schedule to be amended by resolution of both Houses.

There is one other matter which I would like to mention, but which is not mentioned in the Bill, because it is not an aspect of remuneration as defined in Article 160 of the Constitution. This is in respect of the Customs Pass which was formerly issued by administrative action to members in order to facilitate their passage through customs barriers in the course of duty. When this Bill was debated in the Lower House the opinion was expressed by many members that this Customs pass was an unnecessary privilege and should be abolished. The Government concurred with this view

and action was taken to take away this Customs pass.

Sir, I do hope that this rather important Bill will be passed without amendment.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President in the Chair)

Clauses 1 to 5 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment; read the third time and passed.

THE ASSISTANT MINISTERS BILL

Second Reading

Tun Leong Yew Koh: I beg to move that a Bill intituled "an Act to provide for the appointment, remuneration and functions of Assistant Ministers" be read a second time.

Engku Muhsein: I beg to second the motion.

Tun Abdul Razak: Mr. President, Sir, it is my intention to explain briefly the purpose of the Bill. As the House is aware, His late Majesty the Yang di-Pertuan Agong approved the appointment of six Assistant Ministers last year. The Constitution does not specify that these appointments should be governed by a statutory authority, but the Government is of the view that there should be a statutory authority for these appointments and that Parliament should approve their remuneration by law in the same way as the Ministers (Remuneration) Ordinance, 1957.

The proposed terms of remuneration of Assistant Ministers, as stated in the Bill, are similar to those enjoyed by Ministers except in the following respects:

- (i) the salary is \$2,000 p.m. instead of \$3,000;

- (ii) Assistant Ministers are not provided with Government motor cars but will be assisted by interest free loans to buy their cars like other Government officials, and will accordingly receive the same rates of mileage and drivers allowances as members of the public services;

- (iii) their entertainment allowance is proposed at \$150 a month as compared with \$250 for Ministers; and

- (iv) their houses will be furnished on a much lower scale than Ministers' houses.

The purpose of making these appointments of Assistant Ministers is to relieve Ministers of some of their duties and responsibilities. As this House is aware, the Cabinet in the Federation is perhaps smaller than in many other countries and the burden which Ministers carry, both collectively and individually, is heavy. The appointment of Assistant Ministers would enable this burden to be distributed on more shoulders and carried more easily. A secondary advantage of the appointment of Assistant Ministers is that it would enable more Members of Parliament to gain experience in administration and this would enable the Prime Minister to have a wide choice of persons for appointment to Cabinet rank.

The House, I think, will agree that since the appointments of Assistant Ministers have been made, it is necessary that they should be adequately remunerated. Therefore, Sir, I do hope that this Bill will be passed through this House all stages.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President in the Chair)

Clauses 1 to 10 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE CENSUS BILL

Second Reading

Tun Leong Yew Koh: I beg to move that a Bill intituled "an Act to provide for the taking of a Census from time to time" be read a second time.

Engku Muhsein: I beg to second the motion.

Tun Abdul Razak: Mr. President, Sir, the purpose of this Bill is extremely simple. It is the intention of the Government to undertake a Census of Agriculture this year and, indeed, preparations are already well advanced for this. This Census is being conducted in association with the Food and Agricultural Organisation of the United Nations as part of the World Census of Agriculture which that Organisation is endeavouring to organise throughout the world this year.

To undertake the Census properly a detailed organisation is required on the ground and, as a large number of persons have to be asked a wide variety of questions, it is necessary to have a statutory authority for this Census. Therefore, this Bill is being brought to this House.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya berasa soal census ini dari dahulu-nya lagi patut-nya telah di-adakan di-negeri ini. Kita sekarang tidak mengetahui, bagaimana-kah kedudukan ra'ayat kita, bagaimana-kah keadaan kehidupan kaum nelayan kita, bagaimana-kah keadaan kehidupan petani² kita, bagaimana-kah keadaan orang² kita yang menganggor dan bagaimana-kah keadaan perusahaan² kampung kita. Maka semua-nya ini berkehendakkan satu census untuk mendapat satu kepastian. Sa-bagai negeri yang baharu merdeka kita berkehendakkan beberapa ranchangan untuk kebaikan ra'ayat, untuk kemajuan kita. Maka ta' kan-lah kita akan berjaya, ta' kan-lah dapat kita laksanakan ranchangan² yang kita susun itu, sa-kira-nya kita tidak mendapat satu

statistics yang chukup untuk menyesuaikan ranchangan² yang kita jalankan itu. Walau pun banyak ranchangan² yang telah mula di-jalankan oleh Kerajaan, tetapi di-sebabkan oleh kekurangan statistics itu, maka banyaklah ranchangan² itu yang menemui kegagalan. Maka dengan ada-nya census yang sa-umpama ini, dapat-lah kita buat satu² ranchangan yang tertentu agar dapat-lah kita jalankan dengan sempurna dan berjaya. Walau pun banyak telah di-katakan bahawa taraf kehidupan ra'ayat jelata negeri ini paling tinggi di-Tenggara Asia, tetapi kalau kita meninjau di-kampung² dan di-desa² sana, kita akan dapati bahawa orang² kampung itu sangat menderitanya, kehidupan mereka itu dalam serba kesusahan. Maka ini juga perlu mendapat perhatian daripada pemerintah.

Di-pantai timor sana boleh di-katakan kita ada mempunyai berpuluh² ribu nelayan, maka bagaimana-kah kehidupan nelayan itu yang sa-benarnya kita ta' dapat mengetahui. Maka walau pun ada ranchangan² Kerajaan untuk memajukan nelayan itu, tetapi dengan tidak ada mempunyai satu statistics yang terang, yang jelas yang di-jalankan menurut suatu atoran census yang tertentu, ta' dapat-lah kita melaksanakan, menolong nelayan² kita ini dalam kehidupan-nya sa-hari². Segala kesusahan, segala kesulitan yang di-hadap oleh nelayan ini kita tidak mendapat kepastian, sa-lagi kita tidak mengadakan satu census yang tertentu dalam perkara ini. Bagitu-lah juga saya rasa Kerajaan kita sekarang sedang mengadakan ranchangan untuk memajukan Ranchangan di-Luar Bandar dan mengadakan ranchangan² perusahaan kampung, maka ini juga perlu mendapat satu keterangan yang chukup untuk melaksanakan ranchangan itu. Di-pantai timor juga banyak mempunyai ranchangan perusahaan² kampung, maka perusahaan kampung ini maseh di-jalankan sa-chara lama, maseh tidak mendapat perhatian yang sa-layak-nya dan ia maseh tinggal dalam keadaan "hidup segan, mati ta' mahu." Maka dengan ada-nya census sa-umpama ini, baharulah kita akan dapat membetulkan

perjalanan mereka dan dapat menolong perusahaan² kampung kita itu yang menderita dalam menghadapi pertentangan dari berbagai² perlawanan dari luar negeri. Maka saya rasa census ini ada-lah satu barang yang terlampau mustahak untuk kita hadapi sekarang ini. Bagitu-lah juga keadaan² orang kita yang menghadapi penyakit yang tidak mendapat layanan ubat yang sa-layak-nya, terutama-nya di-kampung². Maka dengan ada-nya census ini-lah saya rasa kita akan dapat membetulkan kepinchangan orang² kampung. Jadi, tidak-lah saya hendak berchakap panjang dalam perkara ini, hanya saya merasa mengadakan census ini, bukan saja telah sampai masa-nya, bahkan telah lewat masa-nya bagi mendapat satu kepastian. Kalau-lah kita tidak mengambil census yang tertentu dalam tiap² lapangan itu—kehidupan nelayan-nya, kaum tani-nya, orang² yang berpenyakit dan sa-terus-nya, ta' kan-lah kita akan dapat menjalankan satu² ranchangan dengan teratur dan ta' kan-lah ranchangan seperti itu akan berjaya, kalau-lah census ini tidak dijalankan mengikut satu atoran census yang tertentu, sakian.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President *in the Chair*)

Clauses 1 to 21 inclusive ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE SPEAKER (REMUNERATION) BILL

Second Reading

Tun Leong Yew Koh: I beg to move that a Bill intituled "an Act to provide for the remuneration of the Yang di-Pertua Dewan Ra'ayat (Speaker of the House of Representatives)" be read a second time.

Engku Muhsein: I beg to second the motion.

Tun Abdul Razak: Mr. President. Sir, this Bill is identical to that which makes provision for the remuneration of the Yang di-Pertua Dewan Negara except on two points. The first difference is that the entertainment allowance proposed in the case of the Speaker has been increased from \$350 to \$500 a month. This change is made on an assessment of the Speaker's commitments which are considered to be heavier than those of the former Speaker of the Legislative Council.

It is also proposed to pay the Speaker a monthly salary of \$2,250 as compared with \$2,000 for the President of the Senate. I should like to state here clearly that, of course, there is no suggestion that the President's position is inferior to that of the Speaker. He is the President of the Upper House and as such takes precedence over the Speaker. The difference merely recognises the fact that, because of the nature of our Constitution, the work of the Speaker is bound to be more onerous than that of the President. In other respects the terms of remuneration of the Speaker are similar to those of the President.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President *in the Chair*)

Clauses 1 to 7 inclusive ordered to stand part of the Bill.

Schedule ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE LAND CONSERVATION BILL

Second Reading

Tun Leong Yew Koh: I beg to move that a Bill intituled "an Act to consolidate the law relating to the conservation of hill land and the protection of soil from erosion and the inroad of silt" be read a second time.

Engku Muhsein: I beg to second the motion.

Enche' Athi Nuhappan: Mr. President, Sir, while going through this Bill I came across the provision of Clause 10, which I think is a rather harsh one. Clause 10, Sir, makes provision for the Collector to enter into the land of an owner or occupier and perform such acts as he considers necessary to rectify acts which were not carried out in compliance with the permit issued by the Collector under Clauses 5 and 6 of the Bill. Sir, an owner or occupier of a hill land is not authorised to cultivate unless and until he gets a permit from the Collector and he has to comply with the permit as to the type of the crops he can cultivate. Then an executive power is vested by Clause 10 of the Bill which empowers the Collector or his authorised agent to enter into the land and do such things as he thinks necessary in compliance with the permit and also to recover any costs thereof. Such costs also may be in excess of the ordinary jurisdiction of any Court. This power of the Collector is in addition to another power which is given in Clause 18, i.e., on prosecution and punishment, wherein punishment is up to the extent of \$5,000.

Sir, I am not against the Collector having power to see that any permit issued is complied with, but what worried me here is that the Collector has got a sort of complete sweeping power to enter into the land even without giving notice to the occupier or owner of the land. Normally, Sir, where there is a breach of an agreement in an ordinary contract, the practice is that a notice is given to remedy or rectify the breach and failing which other steps are taken. Here no such provision is made to give any notice at all to the owner or the occupier of the land and it is open, I am afraid, to some kind of abuses. If the Collector is over-zealous he might perhaps walk into the land without giving any notice at all. I am not saying that there will be abuse in every case, but it is open to abuse. I therefore feel that some kind of provision should be introduced here to give notice to the owner or the occupier to comply with the permit—a sort of 14 days' period can be given to the owner, failing which the Collector may enter into the land and see that the permit is complied with by taking any

action that he thinks necessary. Unless there is such a provision, I am afraid this may be open to abuses. I hope that this will be taken into consideration, and if necessary I should like to put it in the nature of an amendment. Sir, my amendment will be in the nature of giving a notice to the occupier or the owner by the Collector to comply with the permit, and failing which, the clause as it stands now can remain.

Enche' J. E. S. Crawford: Mr. President, Sir, I think that the Honourable Member does not realise that Clause 10 is specially meant to deal with absentee landlords, and unless that power is given it will be difficult for the Collectors as throughout Malaya you have the problem of absentee landlords. Unless that power is there to permit the Collector to enter the land in the absence of the landowner to put matters right, you will have erosion going on for years in that piece of land and nothing could be done about it.

Enche' Da Abdul Jalil: Tuan Yang di-Pertua, saya suka menyatakan pendapat saya bahawa kekuasaan yang di-berikan kepada collector itu ada-lah terlampau luas. Walau pun tujuan Rang Undang² ini baik, tetapi mungkin juga kekuasaan yang di-beri kepada collector akan menyebabkan beberapa kesulitan yang akan di-hadapi oleh ra'ayat.

Memang-lah tujuan tiap² undang² itu baik, tetapi selalu-nya menjalankan atau pun melaksanakan undang² itu-lah yang akan mendatangkan kesusahan kepada ra'ayat. Dari itu, kekuasaan yang di-berikan oleh undang² ini kepada collector itu terlampau luas, umpama-nya dalam section 6 ada menyatakan bahawa tidak-lah boleh di-tanam apa² tanaman sekali pun mereka telah mendapat kebenaran daripada collector. Ini bererti bahawa walau pun tanah itu sudah pun di-luluskan oleh collector, tetapi boleh juga dalam perkara ini ia tidak membenarkan tanaman di-atas tanah yang telah di-luluskan itu. Ini ada-lah satu perkara yang harus di-fikirkan kemungkinan berlaku-nya. Walau pun segala keputusan yang di-buat oleh collector itu boleh di-appeal mengikut Fasal 7, tetapi tempoh appeal selama

15 hari sa-lepas keluaran certificate itu ada-lah terlampau singkat, terutama sekali kepada orang² kampung yang tidak mengetahui satu apa pun berhubung dengan hal ini, lebih² lagi kerana perhubungan yang hendak dibuat dengan orang² kampung itu sangat-lah susah.

Saya rasa, perkara ini ya'ani tempoh appeal itu patut-lah di-lanjutkan, kerana memandangkan kepada keadaan orang² kampung yang sememang-nya sangat susah hendak berhubung dengan-nya. Kalau-lah perkara ini terkena kepada pekebun² besar, estate² yang besar memang-lah dengan senang-nya boleh di-jamin tidak akan menyusahkan kepada mereka, tetapi bagaimana hal-nya kalau terkena kepada orang² kampung kita yang tidak mengetahui apa² pun ya'ani yang buta huruf yang tidak mengetahui berhubung dengan hal atoran² tersebut. Maka ini nyata-lah akan mendatangkan satu kesusahan yang besar kepada mereka itu. Saya juga akan men-chadangkan supaya tempoh masa bagi appeal itu di-lanjutkan dari 15 hari kepada sa-bulan untuk memberi kemudahan kepada orang² kampung bagi mengatasi kesusahan ini.

Enche' Yeoh Kian Teck: Mr. President, Sir, I wish to support my Honourable and learned friend Mr. Athi Nahappan in respect of his amendment to Clause 10. Clause 10 deals with the enforcement of terms and conditions of permits, whereas Clause 14 referred to by the Honourable and learned Minister refers to Clause 11 in that a Collector may by notice require the owner or occupier of land to show cause on the grounds provided under Clause 11 (a) and (b). Clause 10 deals with the enforcement of terms and conditions of permits.

There is, however, one point brought up by my Honourable and learned friend Mr. Athi Nahappan in regard to Clause 18, that is the penalty clause. I cannot agree with him there, because Clause 18 deals with failure to comply with any order made under Clause 14—not in respect of Clause 10 of this Bill.

There is, however, Sir, the possibility of hardship if we have an over

zealous Collector. If there is any breach of the terms and conditions of the permit, it is only reasonable, whether the owner or occupier is present or absent, to give notice to him. That notice could specify the breaches committed and also give the dates when those breaches could be remedied.

Sir, may I now refer to Clause 17 (1) (a) which reads:

"Every order under section 14 or part thereof which is—

(a) mandatory, and where the cost of work ordered to be done does not exceed two thousand dollars;

shall be final and there shall be no appeal therefrom."

Sir, in view of the present Government's policy to give as much land to the ra'ayat, it is possible that the majority of the people involved in such cases will be the poorer people, and that mandatory order by the Collector could create a lot of hardship. May I suggest to the Honourable Minister concerned that this Clause be further considered and, if possible, the sum be fixed at not exceeding \$500 instead of \$2,000 before the order is final and there could be no appeal therefrom.

Raja Rastam Shahrome: Tuan Yang di-Pertua, pada pendapat saya berkenaan dengan hill land ini nampak-nya terlampau sangat ringkas dengan tidak memberi chukop keterangan-nya di-sini di-mana di-katakan hill land dalam keterangan section 3. Mengikut section 3 tidak ada apa² di-terangkan di-sana serta had mana di-katakan hill land itu, umpama-nya 1,000 kaki, 500 kaki, atau 200 kaki. Oleh itu, rasa saya, kalau boleh patut di-lanjutkan lagi penerangan-nya—declaration. Dengan yang demikian, tidak-lah akan menjadi kesusahan kepada ra'ayat; kerana kita takut kalau² ra'ayat akan terkena denda (summon) di-kemudian hari kelak berhubung dengan hill land itu.

Di-sini, rasa saya elok-lah kita mendapat keterangan yang lebih lanjut lagi seperti mana yang di-sebutkan dalam undang² yang di-chadangkan ini.

Tun Abdul Razak: Mr. President, Sir, I should like to explain to this House that this is only a consolidating Bill and also that this Bill is being submitted to Parliament under Article 76 (3) of the Constitution. This is a State matter and unless the States agree to adopt this Bill it will have no effect. Before submitting this Bill to Parliament, the Government has consulted the States and this is the maximum agreement that we have managed to obtain from them. Therefore, I would ask Honourable Members not to suggest any amendment to this Bill, because it will mean, if any amendment is made without consulting the States, that we will not get agreement. We are only passing the law under Article 76 of the Constitution for purposes of uniformity of legislation, and therefore the law will only have effect if it is adopted by the States. As I explained in the Lower House, when this Bill was debated, I would be prepared to discuss with the States if there was any suggestion on any matter connected with this Bill, but I would prefer that this Bill be agreed to without amendment, and any other matter which we would like included in this Bill would be brought up in discussions with the States at a later stage.

Sir, I should like to explain in regard to the point raised by the Honourable Mr. Nahappan on Clause 10 of the Bill. I think, to my mind, the power given to the Collector under this is by no means excessive at all, because under Clause 6 we say that the Collector has to give a permit before any land which has been declared to be hill land under Clause 3 can be cultivated, and that permit will be issued subject to certain conditions. Naturally, when once a permit is issued with certain conditions, the person to whom the permit is issued is expected to fulfil these conditions and if he does not fulfil these conditions there should be a remedy for it—in this case under Clause 10 the Collector has the power to enter the land and see that the conditions are fulfilled.

As has been explained by the Honourable Mr. Crawford, the main purpose of this provision of the Bill is to enable action to be taken on land with absentee landlords. Unless we have

this power there is no means by which the Government can enforce this provision, and I am told that the same provision is in force in the States, particularly Penang and Malacca and I think it has worked very well. We have received no complaint of hardship from anywhere.

Sir, another Honourable Member has raised the question of appeal under Clause 17. In the Lower House too this question was raised and I agreed to consult the States in the matter with a view to asking them to consider the question of putting a provision of appeal under Clause 17 to the Ruler in Council or the Governor in Council instead of the High Court. But as I have said I have to consult the States first in order to get agreement.

Ada dua orang Ahli Yang Berhormat yang telah memberi pandangan di atas Rang Undang² ini. Ahli Yang Berhormat dari Trengganu, ada memberi pandangan berkenaan dengan Fasal 6. Saya percaya Ahli Yang Berhormat itu ta' faham atas undang² ini dengan sa-benar-nya. Sa-belum Fasal 6 itu berjalan kuat-kuasa-nya mustahaklah tanah itu di-istiharkan di-bawah Fasal 3 ini menjadi tanah bukit atau hill land, ini tidak kena pada semua tanah. Sa-telah Kerajaan Negeri yang berkuasa atas hal ini puas hati ia-itu tanah itu patut di-panggil tanah bukit, dan pada masa ini Kerajaan Persekutuan telah menda at persetujuan dengan Kerajaan² Negeri ia-itu tanah yang dikatakan tanah bukit itu mempunyai tinggi atau slope-nya 18½ inchi, ini telah mendapat persetujuan.

Bagitu juga pandangan yang Berhormat Raja Shahrome tadi kata-nya tidak terang apa dia hill land itu. Perkara ini kita pulangkan kepada Kerajaan Negeri, di-bawah Fasal 3 ini Kerajaan Negeri berkuasa menentukan satu² tempat itu jadi hill land. Jadi, Kerajaan² Negeri tidak bersetuju hendak memberi keterangan yang lanjut lagi berkenaan dengan perkara ini. Sa-bagaimana yang saya katakan tadi pehak Kerajaan Persekutuan—saya sendiri terpaksa berjalan mengikut kehendak Kerajaan Negeri, Kerajaan² Negeri tidak bersetuju yang kuasa daripada tangan mereka itu di-kurangkan

lagi atau pun di-adakan tafsiran yang lanjut lagi berkenaan dengan bill land dalam undang² ini; mereka itu bersetuju perkara itu hendak-lah di-pulangkan kepada Kerajaan Negeri di-Fasal 3 ini. Jadi, saya harap undang² ini tidak dapat apa² pindaan sebab mustahak di-jalankan dengan persetujuan Kerajaan² Negeri.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. Speaker in the Chair)

Clauses 1 to 26 inclusive ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

THE EXCHANGE CONTROL (AMENDMENT) BILL

Second Reading

Tan Leong Yew Koh: Mr. President, Sir, I beg to move that a Bill intituled "an Act to amend the Exchange Control Ordinance, 1953" be read a second time.

Engku Muhsein: I beg to second the motion.

The Minister of Finance (Mr. Tan Siew Sin): Mr. President, Sir, the purpose of this Bill is fully set out in the Explanatory Statement attached thereto, and it will not therefore be necessary for me to address this House at any length. The principal Ordinance as Honourable Members are aware, was enacted in 1953 and it has never been amended. The main purpose of the present Bill is to bring the Ordinance up-to-date. The only amendment of substance is the amendment of sections 24 and 25 of the Exchange Control Ordinance, effected by Clauses 3 to 6 of the Bill.

Since the principal Ordinance was enacted, Treasury bills as a form of Government finance in the Federation have increased in importance and are likely to play an increasingly important part in the future. It is reasonable, therefore, that the restrictions in the Exchange Control Ordinance relating to the import and export of legal tender and bank notes should be extended to cover the import and export of Treasury bills as well by making the import and export of such bills subject to the permission of the Controller of Foreign Exchange, thereby preventing Treasury bills being used as a means of unauthorised capital transfers. I wish to stress, however, that an absolute prohibition either on the import or export of Treasury bills is not intended. Treasury bills may continue to be imported or exported, subject to the permission of the Exchange Control authorities in each case.

Question put, and agreed to.

Bill accordingly read a second time and committed to a Committee of the whole House.

House immediately resolved itself into a Committee on the Bill.

Bill considered in Committee.

(Mr. President in the Chair)

Clauses 1 to 7 inclusive ordered to stand part of the Bill.

Bill reported without amendment: read the third time and passed.

ADJOURNMENT

Tan Leong Yew Koh: Mr. President, Sir, I beg to move that the House do now adjourn.

Engku Muhsein: Sir, I beg to second the motion.

House adjourned sine die at 4.15 p.m.

WRITTEN ANSWERS TO QUESTIONS

MINISTRY OF EDUCATION

Muslim Religious Education

1. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education to state whether the recommendation in the Razak Education Policy, to the effect that wherever there are 15 or more Muslim students in any particular class Islam religious teaching will be introduced, has been or is being implemented.

The Minister of Education (Enche' Abdul Rahman bin Haji Talib): It is presumed the question refers to paragraph 121 of the Razak Report which is enshrined in Section (49) of the Education Ordinance, 1957. In the majority of Standard Primary Schools, Islamic religious instruction is being given. In some of the Standard-Type Primary Schools where there are 15 or more pupils professing the Islamic Religion, Islamic religious instruction is also being given.

2. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education to state the number of these special classes in existence in the Federation of Malaya up to date.

Enche' Abdul Rahman: It is presumed that the words "These Special Classes" appearing in this question refer to the Islamic religious classes. It is regretted that it is not possible at such a short notice to give the number of Islamic religious classes which are in existence in the Federation of Malaya.

3. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education to state whether all these classes have been provided with Islam religious lessons or qualified religious teachers by the Federation Government (excluding those teachers already provided by the Religious Departments in each State).

Enche' Abdul Rahman: In some schools, e.g. the Malay College and the Malay Girls' College, religious teachers have been provided by the Ministry of Education and their salaries are paid

from the Votes of the Ministry of Education. These religious teachers do give Islamic religious instruction. In other schools religious teachers for the teaching of Islamic religious instructions are being provided by Religious Departments.

4. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education that if the religious teachers as mentioned in (3) above are available, to give the numbers of male and female teachers, if not please state the reasons.

Enche' Abdul Rahman: Due to the short notice, it is not possible to give the number of qualified religious teachers, male and female, employed.

5. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education to state the approved salary scheme laid down by the Government for male and female religious teachers.

Enche' Abdul Rahman: The principal salary scales in force for male and female religious teachers are as follows:

Men—

Certificated—\$130 × 7.50-205/220 × 7.50-250 × 15-295.

Uncertificated—\$85 × 4.50-152.50/160 × 7.50-190.

Women—

Certificated—\$115 × 7.50-175/190 × 7.50-250.

Uncertificated—\$77.50 × 4.50-118/124 × 6-154.

6. **Tuan Haji Nik Muhammad Adeeb bin Haji Muhammad** asks the Minister of Education to state whether the Government will establish Centres for the training of these religious teachers, if so when and where; if not to state the reasons.

Enche' Abdul Rahman: The Minister of Education has appointed a special Committee in connection with the implementation of Section (49) of the Education Ordinance, 1957. This *ad hoc* Committee has been appointed as one of the Consultative Committees to the Razak Review Committee. Pending the report by this Committee it is regretted

that no details can yet be given in regard to the training of religious teachers referred to in this question.

Distribution in the States and breakdown figures of their sex and race are as follows:

Malayan Medical Students

7. Enche' Amaluddin bin Darus asks the Minister of Education to state the number of Malayan students by race and sex now studying medicine in the Universities in Malaya and overseas.

Enche' Abdul Rahman bin Haji Talib: The number of students by race and sex in the Medical Faculty of the University of Malaya in the 1959/60 session were:

	Male	Female
Chinese	282	52
Malays	12	3
Indians	53	10
Ceylonese	35	9
Eurasians	2	1
Others	10	1
Grand Totals ...	394	76 = 470
Federation Totals ...	232	40 = 270

The above grand totals include students from the Federation of Malaya, Singapore and elsewhere. A breakdown by race of Federation students is not available.

It is regretted that no figures are available for Malaysians studying medicine overseas.

MINISTRY OF HEALTH AND SOCIAL WELFARE

Shortage of Doctors

8. Enche' Amaluddin bin Darus asks the Minister of Health and Social Welfare to state the existing ratio against a certain number of population as to one doctor.

The Minister of Health and Social Welfare (Dato' Ong Yoke Lin): Ratio of doctors to the population: 1: 6,521.

9. Enche' Amaluddin bin Darus asks the Minister of Health and Social Welfare to state the total number of doctors now in Government service stating sex, race and nationality and the number in each State in the Federation.

Dato' Ong Yoke Lin: Total number of doctors in Government service is 366.

State	MALAYS			
	Male		Female	
	P	C	P	C
Perak	2	—	—	—
Perlis	—	—	—	—
Negri Sembilan	—	—	—	—
Selangor	3	—	—	—
Trengganu	1	—	—	—
Kelantan	1	—	—	—
Pahang	—	—	—	—
Penang	1	1	—	—
Malacca	2	—	—	—
Johore	3	—	—	—
Kedah	4	—	—	2
Headquarters (including study leave)	5	—	—	—
TOTAL ...	22	1	—	2

State	CHINESE			
	Male		Female	
	P	C	P	C
Perak	7	2	—	1
Perlis	—	—	—	—
Negri Sembilan	3	—	—	—
Selangor	15	2	1	1
Trengganu	—	—	—	—
Kelantan	—	—	—	—
Pahang	1	—	—	—
Penang	15	1	2	1
Malacca	2	—	—	—
Johore	10	1	—	2
Kedah	3	—	—	2
Headquarters (including study leave)	7	—	—	—
TOTAL ...	63	6	3	7

State	INDIANS AND CEYLONESE			
	Male		Female	
	P	C	P	C
Perak	21	13	1	2
Perlis	1	3	—	—
Negri Sembilan	6	7	—	2
Selangor	23	11	7	1
Trengganu	—	5	—	—
Kelantan	1	7	2	—
Pahang	4	11	—	1
Penang	10	6	2	1
Malacca	5	7	1	2
Johore	9	16	—	3
Kedah	8	5	—	1
Headquarters (including study leave)	12	—	—	—
TOTAL ...	100	91	13	13

P = permanent.

C = contract.

State	OTHERS			
	Male		Female	
	P	C	P	C
Perak ...	5	4	1	1
Perlis ...	—	—	—	—
Negri Sembilan ...	4	—	—	—
Selangor ...	12	2	—	1
Trengganu ...	—	1	—	—
Kelantan ...	—	—	—	—
Pahang ...	—	—	—	—
Penang ...	4	1	—	—
Malacca ...	1	—	—	—
Johore ...	4	1	—	—
Kedah ...	2	—	—	—
Headquarters (including study leave)	1	—	—	—
TOTAL ...	33	9	1	2

P = permanent.

C = contract.

10. Enche' Amaluddin bin Darus asks the Minister of Health and Social Welfare to state what action is now being taken to increase the number of doctors in the Federation.

Dato' Ong Yoke Lin: Every effort is being made to increase the number of doctors in the Federation and to this end the following measures are taken:

- increasing the number of scholarships for medical studies, both in training grants and bursaries as well as assistance from the Colombo Plan;
- continuing to obtain assistance from other countries for places in recognised Universities;
- planning to establish a Faculty of Medicine in Kuala Lumpur.

11. Enche' Amaluddin bin Darus asks the Minister of Health and Social Welfare to state whether, as a temporary measure and in order to solve the present shortage of doctors, opportunities would be given to Senior Male and Female Nurses to receive special training to qualify them as Doctors' Assistants, if so, when it will be implemented; if not, to state the reason.

Dato' Ong Yoke Lin: It has always been the policy of this Ministry to accord post-graduate training to senior ancillary staff of the Medical Department, especially Nurses and Hospital

Assistants who have been sent annually on a number of post-graduate courses under the Training Grants of this Ministry as well as on scholarships provided by the World Health Organisation and Colombo Plan authorities.

PRIME MINISTER'S DEPARTMENT

Re-employment of Pensioners

12. Enche' Mohd. Salleh bin Mohd. Arif asks the Prime Minister to state:

- the number of re-employed pensioners in the various Government departments, for example in the Malayan Railways;
- the reason why Government continues to re-employ these pensioners.

The Prime Minister:

- It is not possible in the time available to establish the number of re-employed pensioners in all Government Departments. Ministries, Heads of Federal Departments and State Governments have recently been asked to ensure that all re-employed pensioners (excluding any who were compulsorily retired below and are still below the age of 55) occupying General Clerical Service or Supernumerary Clerical Service posts, should have their services terminated.
- Government has used the services of re-employed pensioners in recent years owing to the general lack of suitably qualified candidates. As new recruits are now coming forward in increasing numbers the need to re-employ pensioners is considerably less.

13. Enche' Mohd. Salleh bin Mohd. Arif asks the Prime Minister to state whether there are cases where an officer has reached retiring age but has had his retirement deferred; and if so why?

The Prime Minister: Only in very exceptional cases is an officer permitted to continue in service beyond the

normal retiring age. Permission is only granted subject to the following conditions :

- (a) that the officer's continued employment does not block the promotion of any other officer;
- (b) that he has been certified fit for continued Government service;
- (c) that it has been shown that it is in the Government's interest to retain the officer and that he cannot be replaced by a younger officer.

Normally deferments of such a nature are limited to a maximum of one year from the normal retiring date.

14. Enche' Mohd. Salleh bin Mohd. Arif asks the Prime Minister to state the number of contract officers who have been made permanent, and to give reasons why they have been made permanent.

The Prime Minister: Since Merdeka no expatriate officer previously employed on contract has been appointed to the pensionable establishment. So far as can be discovered in the time available only two Malayan officers originally employed on contract, have subsequently been offered appointment on pensionable terms.